# **EXHIBIT 1**



#### Family Court of the State of New York Lity of New York

60 LAFAYETTE STREET NEW YORK, N.Y. 10013

August 3, 2016

Manuel P. Asensio 400 East 54<sup>th</sup> St., Apt. 29B New York, NY 10022

Re: Asensio v. Bosak Docket No. V-43839/13/13A

Dear Mr. Asensio,

I am the Court Attorney for the Hon. Karen Lupuloff, Supervising Judge of New York County Family Court. Your email of July 15, 2016, regarding a letter of complaint you sent in November of 2015 was referred to me.

In your letter, you urge the Supervising Judge to intervene in the above-referenced case, to which you are a party and which is pending before Hon. Adetokunbo Fasanya. I see that your next court date is August 5, 2016 for a hearing on your motion as well as a motion by the attorney for the child. Our records also indicate that you have an appeal to one of Judge Fasanya's orders pending before the First Department. Please be advised that Judge Lupuloff is ethically barred from commenting on or intervening in matters currently before the Family Court. Additionally, your letter of complaint addresses issues that are now under review by the Appellate Court and it would be unethical as well as inappropriate for a Judge of the Family Court to comment on those issues or intervene in those matters.

I see from my review of the court file that you are no longer representing yourself, but once again have retained legal counsel. Your concerns regarding the pending case, as well as any legal action regarding the progress of that case and orders by the presiding jurist are best addressed with your attorney, who is in the best position to advise you.

We thank you for bringing your concerns to our attention. New York County Family Court is dedicated to serving its litigants who appear here with the utmost dignity and respect.

Sincerely,

/ Jacqueline M. Burns

Supervising Court Attorney

## Case 1:18-cv-10933-BA Document 71-1 Filed 05/13/19 Page 3 of 5

City of New York, County of New York



DANIELLE M. RODRIGUEZ SUPERVISING COURT ATTORNEY **60 LAFAYETTE STREET** NEW YORK, N.Y. 10013

June 11, 2015

Manuel Asensio 400 East 54th Street, Apt. 29B New York, New York 10022 Via E-mail

> Re: Asensio v. Bosak

> > Docket V-43839/13

Dear Mr. Asensio,

I am the Court Attorney to the Hon. Douglas E. Hoffman, Supervising Judge of New York County Family Court. I write this letter in response to the e-mails that you sent to me on June 9, 2015 and June 11, 2015.

We thank you for bringing your concerns to our attention, as NY County Family Court is dedicated to serving its litigants and seeks to be responsive to their cares. Please be advised, however, that both Judge Hoffman and I are ethically prohibited from commenting on or intervening in a matter before another Judge. Our records reflect that you are represented by counsel in your Family Court proceedings, Mr. Christopher Battaglia, Esq. Mr. Battaglia is in the best position to provide you with legal advice regarding your pending cases. I understand that you are attempting to file an order to show cause. Please note that the policy of NY County Family Court is that a litigant who is represented by counsel may not file an order to show cause pro se. You may find it helpful to speak to your attorney regarding your attorney filing your order to show cause on your behalf if you believe this is appropriate.

I hope you find this information helpful.

Sincerely yours,

Danielle M. Rodriguez, Esq.

cc: Christopher Battaglia, Esq., via e-mail

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### STATE OF NEW YORK UNIFIED COURT SYSTEM

111 CENTRE STREET NEW YORK, N.Y. 10013 (646)386-4200

LAWRENCE K. MARKS Chief Administrative Judge FERN A. FISHER

Deputy Chief Administrative Judge

New York City Courts

October 27, 2016

Mr. Manuel P. Asensio 400 East 54th St., Apt. 29B New York, NY 10022

Re: Asensio v Bosak

Dear Mr. Asensio:

This is in response to your emails addressed to the Honorable Fern A. Fisher, Deputy Chief Administrative Judge for New York City Courts.

In your emails you express dissatisfaction with the manner in which your cases were handled by the court. While Judge Fisher does have administrative oversight of the state courts within the City of New York, neither Judge Fisher nor any other Administrative Judge may interfere in the rulings or decisions of a case handled by another judge.

Further, if you believe the judges handling your cases erred in their rulings, you may wish to consider the remedies available through the appellate process. The Appellate Term, First Judicial Department is located at 60 Centre Street, Room 401, New York, NY 10007.

We regret your dissatisfaction with the outcome of your cases.

Sincerely,

LDM:

cc: Hon. Fern A. Fisher, DCAJ

Łintia Dunlap-Miller

Special Assistant to DCAJ

LAWRENCE K. MARKS
CHIEF ADMINISTRATIVE JUDGE

JOHN W. McCONNELL

December 5, 2016

BY U.S. MAIL Mr. Manuel P. Asensio 400 East 54th Street (Apt. 29B) New York, New York 10022

Re: <u>Correspondence of November 28, 2016</u>

Dear Mr. Asensio:

Chief Judge Janet DiFiore and Chief Administrative Judge Lawrence K. Marks have referred to me for response your letter dated November 28, 2016, in which you (1) express serious concerns over the conduct of a Family Court Judge, as well as various administrative judges, in the handling of a child custody matter in which you are a party; and (2) seek removal of that judge from the matter. For reasons that have been described to you in past communications from court officials, your recourse in this matter is through the normal channels of appellate practice, and not through extraordinary administrative action by the Chief Judge, the Chief Administrative Judge, or any other administrative officer. We recognize, and regret, that you disagree with this conclusion. But it reflects a fundamental principle of court operations, and is unalterable.

Very truly yours,

John W. McConnell

cc: Hon. Lawrence K. Marks